

WORK BOTH WAYS

Fred Robertson, U. S. District Attorney for Kansas,

Gets Men Out of Prison as Well as In.

INJUSTICE SOMETIMES DONE

Where There Is Doubt He Makes an Investigation.

More Than 25 Federal Prisoners Have Been Freed.

Through a plan inaugurated by Fred Robertson, United States district attorney, when he first entered the federal service, more than 25 men serving time at the federal prison under a misapprehension of justice have been given their freedom. The practice being followed by the Kansas district attorney's office has met the approval of the department of justice in Washington and has the co-operation of Judge John C. Pollock of the Kansas district.

Shortly after Robertson was appointed United States attorney for the district of Kansas, he became convinced that in a number of cases, men were unjustly committed to the federal prison through an error in the evidence or the inability of the prisoner to retain counsel. While the federal law provides a prisoner with an attorney where he is personally unable to pay a lawyer, the federal law does not provide for a trial through the higher courts or a review of the case. An investigation of a number of cases at the Leavenworth federal prison resulted in a practical rehearing of the cases. In some of the cases the evidence showed that there was sufficient reason for a conviction and the government refused to grant clemency. In several doubtful cases, however, the department of justice approved an investigation of the records and prisoners were released who had been wrongfully committed.

"In one case," said Robertson, "a man was serving in the federal prison whose sentence, under the maximum provision of the law would have been but ten months in the county jail."

Some months ago Robertson talked with Judge Pollock about the matter. He also discussed the situation with S. M. Brewster, attorney general for Kansas, and a number of federal appointees. When McInerney was federal attorney general, he approved the Robertson plan and since that time federal departments have been working in harmony to determine whether prisoners are wrongfully committed to the Leavenworth prison.

Men and women from every section of the United States are sent to Leavenworth prison. Cases from almost every federal court in the country are therefore subject to review. The program being followed by Attorney Robertson and Judge Pollock provides for the appointment of an able lawyer for a prisoner in case there is reasonable doubt of a misapprehension of justice. The case, if evidence warrants, is then taken to the higher courts.

A number of these cases have al-

ready gone to the United States circuit court of appeals. Three cases have gone to the supreme court of the United States.

"It is not the intention of the government to punish men unjustly," said Robertson. "The idea that the government is cold or merciless, is wrong. The federal departments are anxious to see that justice is done and when a case shows reasonable cause for doubt as to the guilt of the prisoner, it is of the intention to investigate. The number of cases where wrong has been done is not large. But the few have been warranted the effort that has been made to restore justice."

ANOTHER HYDE DELAY

Doctor's Attorneys Ask Dismissal of Murder Charge.

Kansas City, Sept. 13.—When the fourth trial of Dr. B. Clarke Hyde, charged with the murder of Col. Thomas H. Swope, millionaire philanthropist, was called in the criminal court today, Floyd Jacobs, prosecuting attorney, was granted until Wednesday to file a formal application for continuance of the case.

The Hyde attorneys appealed to Judge E. E. Porterfield, who presided to dismiss the charge, asserting Dr. Hyde had been ready for trial for more than a year. The judge said he would put the entire matter over until Wednesday.

Dr. Hyde and his wife were in the court room.

ONLY 34 JITNEYS LEFT

Others Go Out of Business or Become Taxicabs.

Only thirty-four of the 100 jitneys which have been operating in Topeka are to continue in business as jitneys. The others presumably will operate as taxicabs or motor buses. Saturday was the last day in which jitney operators, who had licenses under the old ordinance, could have the unused portion of their licenses applied in payment on a new license to operate a

jitney. Those not taking out new licenses will be permitted to operate only as taxicabs. Taxicab licenses cost \$10 per year. Jitney licenses are \$25, \$35 and \$50, according to the size of the cars.

Those who have secured licenses to operate jitneys are: A. N. Boulding, \$25; S. W. McGraw, \$50; C. B. McGrew, \$50; E. A. Beard, \$25; C. C. Jones, \$25; S. Bulkamp, \$25; J. C. Hummer, \$25; T. G. Stone, \$25; T. A. Hastings, \$25; O. Hendrickson, \$25; C. A. Ferrigo, \$25; A. B. Shinn, \$25; Z. R. Roberts, \$25; R. A. Tiffin, \$25; R. S. Ward, \$25; C. A. Smith, \$25; F. D. Elba, \$25; J. T. McCormick, \$25; J. R. Luckey, \$25; John Heitman, \$25; L. M. and Roy Crawford, eight cars, \$200; Prescott Olson, \$25; B. L. Israel, \$25; Y. O. McCall, \$25; C. E. Dennon, \$25; H. H. O'Brien, \$25.

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Most piano houses are either direct branches of a factory or have a working or capital borrowing deal by which they are practically under control of the factory which "stakes them."

The retailer who is tied to a factory has to use the factory's product, willy nilly, and that's an awful handicap.

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We do not and will not accept factory run. Every piano is inspected when it comes on our floor and if not up to standard, it is returned to factory.

In the long run, nothing pays so well as good faith toward the public. This is the theory and essence of the Jenkins plan. Good faith toward the public is the cornerstone of our piano business.

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